

May 26, 2017

To: Jose Garza; David Richards and Luis Vera

From: George Korbel

re: Update of Expert Report and Reference to Additional Demonstration Districts

I. Assignment and Qualifications

1. I have previously provided reports to this Court and testified in the litigation involving the redistricting of Texas Congress, State House and State. In an effort to duplicate, I adopt my previous reports and testimony with some observations and updates. Since last time I appeared before this Court I have testified in only one contested to largely the same matters in the trial of the Texas Voter ID case. The State was a party defendant in that case and was represented by the office of the Attorney General. I have authored no additional articles.

II. Expert Opinion

***Gingles* Factors**

A. Socio-economic Differences

2. In preparation for earlier testimony in this case I was asked to examine

and contrast the socio-economic, employment and educational conditions of the Anglo/White and Minority communities. The exhibits and testimony were largely based on the census data available at the time of the hearings. There are now more recent census estimates on these issues. I have looked at those estimates and have concluded that they do not materially change the evidence before the Court. The large financial, educational, employment and social gap remains the same both statewide and in each of the counties which are at issue.

B. History of Discrimination

3. I was asked to look at the history of discrimination in Texas — particularly that involving voting. I testified and provided an exhibit including citations to cases. Attached to this report is an update of that case list which includes a number decisions that have taken place since the last hearings in this matter.

4. After this Court issued the order earlier this year relating to the Congressional apportionment, Hispanic members of the state house introduced Congressional and House plans as vehicles for legislation. The Legislature has not held hearings on those plans and there has been no apparent discussion of possible remedies for the areas of the state that the Court highlighted as problematic.

5. Rather, the legislature appears poised to adopt a number of statutes relating to election suppression in the last few days of this current Legislative session. I will supplement the report with references to these statutes.

C. History of the Redistricting Process and the Minority Population Growth

6. The seats in Congress are apportioned to each State after the taking of the Decennial Census on the basis of the population of each state.

7. In the case of Texas, for example, there were 21 sets in Congress apportioned to Texas in 1930. In the four decades (1930-1970) that followed, the Texas Congressional Delegation increased to 24. This indicated that Texas was growing slightly faster than the United States as a whole.

8. The redistricting based on the 1970 Census coincided with the beginning of the modern redistricting litigation in Texas as well as the unprecedented minority (primarily Hispanic) growth. As a result in the four decades after 1970, the Texas delegation to Congress grew from 24 to 36. I attach a short powerpoint including a chart with 1970 through 2010 census information with population projections through 2050.

9. Overall, Texas population more than doubled in the 1970-2010 period.¹ The growth rate was uneven across racial and ethnic groups. White or Anglos

¹ Before 1970, the Census did not attempt to comprehensively count Hispanics as they did African Americans.

increased from 7.7 to 11.4 million or 48.2%. African Americans essentially doubled in population from 1.4 million to almost 2.9 million. Hispanics, however more than tripled in population going from just over 2 million in 1970 to almost 9.5 million in 2010. The “other,” largely Asian population, increased from just under 100,000 persons to 1.3 million. Those growth rates are projected to continue for the next 40 years.

10. Stated another way, in 1970 Anglo or White Texans comprised almost 69% of the state population and by 2010 the Anglo segment had declined to just over 45%. By 2020, the Anglo share of the state population is projected to further decline to under 40% and by 2050, to only 22%.

11. In the redistricting based on the 1970 Census, there were four of the 24 Congressional Districts which we would today define as Hispanic opportunity districts.

District 16 included El Paso and stretched out to Ector County.

District 23 ran from Webb County up to Bexar, Guadalupe, Bee and other South Central Texas Counties.

District 20 spanning the South and East side of Bexar County

District 15 which is essentially Hidalgo, Cameron and the balance of South Texas

12. In reapportionment based on the 1970 Census, Hispanics were 18.3% of the population and had access to 4 of the 24 Congressional Districts (16.7%).

In 2010 Hispanics were over 37% of the population but have access to only 6 of

36 Congressional Districts (16.7%).

13. Another way of looking at this is that if since 1970, the Texas minority population had grown at the same rate as that of the Anglo population, Texas would have been apportioned 23 Congressional Districts in 2010 and not the 36 it received. In other words, without the minority growth, the state would have lost a Congressional District rather than gaining 13.

14. Hispanics contributed the lion's share of the state Growth in the last 4 decades. But, Hispanic access to Congressional Districts did not increase. Although the Anglo population declined from 68.5% in 1970 to 45.3% in 2010, under PLAN C358, Anglos voters dominate 69% of the Congressional Districts.

Contrast the Growth 2000-2010 with the Growth Since 2010

15. The Court has referred to the significance in the disproportionate growth from 2000 through 2010. The White/Anglo population increased by 464,000 persons, while the Minority population provided the balance of the 4.3 million growth.

16. We are now in 2017 looking at an election to be held in November of 2018. The State Data Center's own projections show that from 2010 through the election to be held in 2018, the 2000-2010 growth will be duplicated. In other words, the state will have grown by another 4 million persons with an almost

identical disproportion in ethnicity.

C. The Demonstration Districts

17. At trial, I testified and offered a number of demonstration districts. The balance of this report will deal with additional House and Congressional demonstration plans based on the Courts Orders and Findings earlier this year.

Standards that I Used to Draw the Demonstration Districts:

18. There are any number of “so called” traditional redistricting concepts. Some are imposed by the law, such as the county line rule for the Texas House. Others are logical considerations such as the consideration of city and other jurisdictional limit lines. Still others are rooted in good government concepts such as respect for communities of interest and for incumbency.

19. In my experience, one of the most important practical considerations is an attempt to maintain precinct boundaries. This is significant because it simplifies the holding of elections particularly where changes may have to be implemented late in the process.

20. Finally, some other considerations stem from judicial and administrative decisions, such as the limitation on population deviation, restrictions on excessive packing and cracking of minority population, and restrictions on the use of race.

21. As someone who has worked with many cities and school district as both a litigator and as a consultant, I am particularly sensitive to process of the implementation of a redistricting plan. Minimizing changes in the voting precincts is central to the preparation for the election. I have attempted to draw these Demonstration plans with reference to all appropriate standards.

22. I have consulted with people from each of the areas represented in the House and Congressional Plans. I have worked with others with experience in redistricting of House and Congressional Districts. I have relied on my familiarity with the areas. I have relied on the testimony on cohesion and polarization in this record and on advance copies of expert reports which I anticipate will also be filed today.

23. I have not included the actual maps and all of the data that I looked at in the preparation of the demonstration plans. I relied primarily on the following reports:

- Red 100 Population with County Sub Totals;
- Red 116 Special Tabulation of Citizen Voting Age Population 2005-2009;
- Red 116 Special Tabulation of Citizen Voting Age Population 2007-2011;
- Red 116 Special Tabulation of Citizen Voting Age Population 2011-2015;
- Red 202 Population with Voter Registration Data 2010-12;
- Red 202 Population with Voter Registration Data 2014-2016;
- Red 206 General Election Analysis for 2008-2016;
- Red 315 Compactness measures;
- Red 350 Incumbent Report;

- Red 371 Split Precinct Report.

24. All of this information is available on the State's Computer systems under the reference of the House and Senate Plan numbers.

State House Plan

25. We made public a combined map of all House Demonstration Districts that is available as H-391.

1. Fort Bend Mix

26. H391 involves redrawing of Districts 26, 27, 28 and 85 in the Fort Bend Mix (Fort Bend Jackson and Wharton Counties). It is set up as a "plug-in" so that the Court could remove all of the Fort Bend Mix from H 358 and replace them with H 391 districts 26, 27, 28 and 85. Districts 26, 27 and 28 are essentially located in suburban Houston areas. Among other things as drawn, H 391 simplifies the districts and eliminates the split of the City of Richmond. It combines the adjacent cities of Rosenberg and Richmond into District 85.

27. PLAN H 391 includes a District 27 that is 47.9% (47.4% Black alone) BCVAP including 16.2% HCVAP. Under H-358, District 27 is 47.0% Black CVAP (46.5% Black alone CVAP). In addition, H 391 creates a Black/Hispanic/Asian coalition district 26 that is 16.4% Hispanic; 17.2% Black and 28.2% Asian CVAP. Under H 358, there was no such coalition district.

Plan H 391 maintains the existing African-American opportunity district and adds a multi-ethnic coalition district.

28. HD 27 is a compact coalition district at 47.4% BCVAP and 16.2% HCVAP. It includes city of Houston neighborhoods as well as Missouri City, Stafford, Meadows Place, Fresno CDP and Sienna Plantation CDP.

29. HD 26 is a compact and cohesive coalition district at 16.4% HCVAP, 17.2% BCVAP, and 28.2% Asian CVAP. The district unites the city of Sugarland, Mission Bend CDP, Four Corners CDP and unincorporated neighborhoods of Fort Bend. While the Court has been presented other configurations for HD 26, which show stronger electoral performance for minority candidates, this configuration honors the Courts directive to respect city boundaries. We believe this district will provide electoral opportunity for minority voters. The district is changing rapidly. There was almost a ten point jump between 2012 and 2016 in support for the minority candidate of choice for President (46.9% Obama '12 to 56.2% Clinton '16). If the Court believes city boundaries to be a dominant criteria, this district honors that directive while demonstrating the emergence of minority electoral success.

2. Harris County

30. There are 13 minority opportunity districts under Plan H 358 (131, 137, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148 and 149). These result in the election of 6 African American, 5 Hispanic and 2 Asians legislators.

31. The Demonstration Plan for Harris County House is a “plug-in” plan that affects only 5 of the 24 House Districts in Harris County. None of the currently elected minority Districts is touched.

32. The Court has found that the Harris County configuration is the result of intentional vote dilution. Plan H 391 seeks to disinfect two districts in far Western Harris County through the use of traditional redistricting principles by respecting city boundaries and major roads and highways.

33. Two naturally occurring concentrations of minority citizens in west Harris have been systematically cracked and submerged into dominant Anglo majority districts.

34. By adjusting no more than five districts, two naturally occurring minority concentrations can be allowed to emerge.

HD 132

35. Using Interstate 10 on the south, FM 529 on the north, Highway 6 on the east and North Mason Road (extending to similar VTD boundary roads) on the

west this district emerges. Plan H 391 further respects traditional redistricting principles by removing city of Houston population on the south and pushing the configuration north to encompass unincorporated western Harris County neighborhoods. The district is compact, cohesive, and at 34.8% HCVAP plus 19.8% BCVAP a coalition district which performs for the minority candidates of choice in exogenous elections.

HD 135

36. Using the traditional redistricting principle of following major highways and boundaries, a compact demonstration exhibit will reveal a naturally occurring majority B+H+O CVAP concentration. Using Highway 1960/Hwy 6 as the north and western boundary, extending east to the boundary of HD 139 (an existing minority district protected by the VRA), this majority emerges. Plan H 391 adjusts this boundary somewhat to include a set of more cohesive neighborhoods. The result is a naturally occurring concentration of minority citizens who have the opportunity to pull, haul and trade and possibly emerge as an opportunity district if the taint of intentional vote dilution is removed.

37. The modification of District 135 results in a Black/Hispanic/Asian Coalition District that is 26.6% Hispanic; 19.3% Black and 13.8% Asian CVAP. Under the current plan none of the districts involved in this “plug-in” are either

Combined Minority or Coalition Districts. Harris County contains Districts 126-150 with the exception of 136.

3. Dallas County

Current Plan H-358

38. Plan H358, the current plan, contains six compact minority opportunity districts. (See footnote 49 on page 62 of House Court Order)

39. HD 100 is a compact coalition district at 46.4% BCVAP plus 21.8% HCVAP. The district contains five precincts in the city of Mesquite and is otherwise within the city of Dallas. It performs reliably to allow African Americans the opportunity to elect their candidates of choice.

40. HD 103 is a compact coalition district at 40.6% HCVAP plus 13.9% BCVAP. The 2016 SSVR is 34.7%. The district covers parts of the cities of Dallas, Irving and Farmer's Branch. It performs regularly to provide Hispanic voters the opportunity to elect their candidates of choice. However, the Court has found that the drawing of this district was the product of intentional vote dilution.

41. HD 104 is a compact Hispanic opportunity district at 56.8% HCVAP. The district covers parts of the cities of Dallas and Grand Prairie and the city of Cockrell Hill. It performs regularly to provide Hispanic voters the opportunity to

elect their candidates of choice. However, the Court has found that the drawing of this district was the product of intentional vote dilution.

42. HD 109 is a compact majority African-American opportunity district at 62.8% BCVAP. The district encompasses the Dallas County portions of the cities of Cedar Hill, Lancaster, Wilmer, Hutchins, Glenn Heights and parts of the cities of Dallas and DeSoto. It performs regularly to provide African-American voters the opportunity to elect their candidates of choice.

43. HD 110 is a compact majority African-American opportunity district at 54.9% BCVAP. The district encompasses parts of the cities of Dallas, Balch Springs and Mesquite. It performs regularly to provide African-American voters the opportunity to elect their candidates of choice.

44. HD 111 is a compact majority African-American opportunity district at 57.2 BCVAP. The district encompasses the city of Duncanville and parts of the cities of Dallas and DeSoto. It performs regularly to provide African-American voters the opportunity to elect their candidates of choice.

b. Demonstration Plan 391

45. Plan H 391 is a “plug-in” plan that redraws the Districts in Dallas County with the exception of Districts 109 and 111. It eliminates or reduces the splitting of the cities of Grand Prairie, Mesquite, Rowlett, Addison, Irving,

Garland and Balch Springs.

46. Plan H 391 contains eight compact minority opportunity districts and a demonstration district for HD 105, which remedies the intentional vote dilution found in western Dallas County, but does not create a new coalition district there.

47. HDs 109 and 111 are unchanged by this plan and remain compact majority African-American opportunity districts as described in Plan H358 above.

48. HD 100 is a compact coalition district at 46.4% BCVAP and 22.3% HCVAP. The district is located entirely within the city of Dallas, including neighborhoods from West Dallas through the Fair Park area, Dolphin Heights, and Forrest Hills to Pleasant Grove and Buckner Terrace on the east. Incumbent Rep. Eric Johnson, an African-American legislator and Vice-Chair of the House Redistricting Committee, has approved the configuration of this district, which will continue to provide the African-American community the opportunity to elect the candidate of their choice.

49. HD 110 is a compact majority African-American opportunity district at 50.1% BCVAP. The district encompasses parts of the city of Dallas and all of the cities of Balch Springs and Seagoville. The incumbent State Rep. Toni Rose is an African-American legislator who has approved this district configuration which unites the city of Balch Springs and restores Seagoville, which had been removed

from the district in 1991. These communities from South Dallas to Seagoville are compact and cohesive. It performs regularly to provide African-American voters the opportunity to elect their candidates of choice.

50. HD 104 is a compact Hispanic opportunity district at 58.7% HCVAP. The 2016 SSVR is 54%. The district covers parts of the cities of Dallas and Grand Prairie and the city of Cockrell Hill. It performs regularly to provide Hispanic voters the opportunity to elect their candidates of choice. Incumbent Roberto Alonzo (D-Dallas) resides in the district.

51. HD 103 is a compact coalition district at 44.6% HCVAP plus 13.8% BCVAP. The 2016 SSVR is 39.1%. The district covers parts of the cities of Dallas, Irving, Carrollton and Farmer's Branch. These cities are necessarily split to comply with requirements of the Voting Rights Act (VRA). It will perform regularly to provide Hispanic voters the opportunity to elect their candidates of choice. Incumbent Rafael Anchia (D-Dallas) resides in the district.

52. HD 105 is a compact community consisting predominately of south Irving and north and central parts of Grand Prairie. This configuration cures the intentional vote dilution found by the Court in Plan H 283. However, this configuration at 31.7% HCVAP and 17.9% BCVAP does not rise to the benchmark for a coalition district. Incumbent Rodney Anderson (R-Grand Prairie)

resides in the district.

53. HD 102 is a proposed minority coalition district at 18.9% HCVAP plus 31.3 % BCVAP. It is located entirely within the city of Dallas in the northeast. The northern portion is centered on the community of Hamilton Park, a traditional and historic African-American community. The district extends along the LBJ Freeway southeast to traditional working class neighborhoods of East Dallas and extends south along Hwy 75 to Loop 12. Numerous apartment buildings and affordable single family housing along these major Dallas thoroughfares define a community of interest of working class families who are able to commute to often changing job locations in various service industries. General election results confirm that this district will consistently provide the opportunity for minority voters to elect the candidate of their choice.

54. HD 107 is a proposed coalition district at 22.5% HCVAP and 28.6% BCVAP. The City of Mesquite is entirely within this district. The district also includes contiguous City of Dallas precincts that have long been associated with the Mesquite community in Pleasant Grove and in the commercial and multi-family housing zones at the confluence of I-30, U.S. Hwy 80, and Loop 12, up to Ferguson Road. The City of Mesquite and Mesquite ISD have dominated one legislative district since the inception of single member districts, until the

2011 enactment. Founded in 1878, Mesquite has become one of the largest suburbs of Dallas and the 20th largest city in the state. Known variously as the Rodeo Capitol of Texas and the gateway to East Texas, Mesquite has a rich history and strong community bonds.

55. The current incumbent in HD 107, Victoria Neave, is a Latina who won a hard-fought victory in 2016. About one half of the population in the current HD 107 is within the city of Mesquite. Her father is an immigrant and successful small businessman in Mesquite. Victoria's family is part of the story of the demographic change in the area. She intends to reside in the city of Mesquite.

56. All remaining Dallas County districts are necessarily impacted by the remediation of intentional vote dilution and the creation of one or more coalition districts. Since the court found that the overall configuration of Plan H 283, the underlying plan, was the product of intentional vote dilution, Plan H 391 seeks to adhere to the Courts guidance regarding traditional redistricting principles, specifically respect for city boundaries. Accordingly, the remaining districts were constructed as follows, beginning from east to west.

57. HD 113 begins with the small city of Sunnyvale, where incumbent Cindy Burkett resides, and adds only city of Garland precincts until the full population of a district is achieved around Buckingham Road in the north. This

naturally occurring configuration, consisting of the lower two thirds of Garland and Sunnyvale, is less than majority Anglo and could allow the later emergence of a minority opportunity district.

58. HD 112 with incumbent Angie Chen Button (R-Garland) takes the remainder of Garland and the cities of Rowlett and Sachse to the east. Since it cannot absorb the entire city of Richardson and stay in deviation, it takes the northern part and reaches into Dallas to include the residence of incumbent Linda Koop (R-Dallas) who was displaced by the formation of coalition district HD 102 in Dallas.

59. HD 114 with incumbent Jason Villalba (R-Dallas) remains centered in north Dallas and includes the city of Addison and the remainder of Richardson.

60. HD 108 with incumbent Morgan Meyer (R-Dallas) retains the so called Park Cities and central Dallas upscale neighborhoods.

61. Finally, HD 115 with incumbent Matt Rinaldi (R-Irving) includes the city of Coppell and the remainders of Irving, Carrollton and Farmers Branch.

4. Tarrant County

62. Plan H 391 redraws all of the districts in Tarrant County. It eliminates or reduces the splitting of the cities of Grand Prairie, Euless, Haslet, Richland Hills, Haltom City, Keller, Saginaw, Sanson Park, River Oaks, Kennedale and Arlington.

63. Plan H358, the current plan, contains three performing minority opportunity districts. Two are compact and one, arguably, is not.

64. HD 95 is a compact coalition district at 48.8% Black CVAP plus 16.3% Hispanic CVAP. It is predominately made up of area from the city of Ft. Worth, but contains the small cities of Forest Hill, Everman and Edgecliff Village. It performs reliably to allow African Americans the opportunity to elect their candidates of choice. Incumbent Nicole Collier (D Ft. Worth) is an African-American female.

65. HD 101 is a compact coalition district at 24.3% Hispanic CVAP plus 29.9% Black CVAP. In southeastern Tarrant County, the district includes a southern part of Arlington and Grand Prairie. It regularly provides minority citizens the opportunity to elect the candidates of their choice. Incumbent Chris Turner (D-Arlington) is an Anglo male.

66. HD 90 is majority Latino district at 53.9% HCVAP, 50.9% SSVR and regularly performs for the Latino candidates of choice. However, the district is arguably not compact. The Court found that this district was manipulated to undermine Latino voting strength by masking the loss of another district (page 71).

67. Plan H 391 contains four compact minority opportunity districts in Tarrant County.

68. HD 95 is a compact majority African-American district at 50.8% Black CVAP. It is predominately city of Ft. Worth, but contains the small city of Forest Hill. It performs reliably to allow African Americans the opportunity to elect their candidates of choice. Incumbent Nicole Collier (D Ft. Worth) resides in the district.

69. HD 101 is a compact coalition district at 19.5% Hispanic CVAP plus 32.3% Black CVAP. It regularly provides minority citizens the opportunity to elect the candidates of their choice. In south east Tarrant County the district includes southern Arlington and all of the Tarrant County portion of the city of Grand Prairie. Incumbent Chris Turner (D-Arlington) lives in the district.

70. HD 90 is compact majority Hispanic district at 51.1% Hispanic CVAP, 48.3% SSVR and regularly performs for the Latino candidates of choice. At the request of the Latino incumbent, Ramon Romero (D-Ft. Worth), the small African-American community of Como remains in the district. Interestingly, the BVAP is reduced to 8.8% in this plan, down from 17.4% in Plan H283 and 12.1% in Plan H358. Apparently, the map drawers in Plan H 283, in their exuberance to

connect every pocket of Hispanics into the district used bridges of African-American neighborhoods. By eliminating the bizarre lower portion of the eastern arm in HD 90 many African-American voters were freed up to bolster the Black percentage in HD 95. Thus allowing HD 95 to exceed 50% BCVAP, while simultaneously releasing Black growth precincts in the far southwest (VTDs 1257, 1440, and 1300) to the newly configured HD 93 described below. The extreme manipulation of HD 90 was used to block the emergence of another minority opportunity district.

71. HD 93 is a compact minority opportunity district, consistently providing minority voters the opportunity to elect the candidates of their choice in exogenous elections. At 15.9% HCVAP and 27.0% BCVAP HD 93 is not a coalition district, but it does provide electoral opportunity. (A majority B+HCVAP district can be drawn in this area by lowering the BCVAP in HD 95 to just over 40%, but the incumbent in HD 95 requested that this not be demonstrated. We agree that a coalition district is not needed here to provide electoral opportunity for minorities.) The configuration of HD 93 in Plan H 391, and its electoral strength for minority voters, is based on uniting all of the Black growth neighborhoods of far southwest Fort Worth. The district extends through cities of Edgecliff Village, Everman and Kennedale to precincts in far southwest Arlington

to include the residence of an incumbent, Bill Zedler (R-Arlington). These Arlington precincts are included to avoid a pairing.

72. All remaining Tarrant County districts must necessarily be adjusted to account for the removal of the lightning bolt configuration of HD 93 which ran from north Tarrant through central Fort Worth to Arlington and Grand Prairie. With the finding of intentional vote dilution in the drawing of Tarrant County, Plan H 391 seeks to adhere to the Courts guidance regarding traditional redistricting principles, specifically by respect for city boundaries. Accordingly, the remaining districts were constructed as follows.

73. HD 99 is represented by Charlie Geren (R-Ft. Worth), the Dean of the delegation. His district remains largely intact, including northwest Fort Worth and numerous small cities. From his eastern boundary the other district are configured to not split any of the northeastern suburban cities to the greatest extent possible. HD 91 consists of north Fort Worth neighborhoods and the entire cities of Haslet and Haltom City. A small portion of North Richland Hills is included to necessarily take excess population from the HD 92 city configuration. This district pair incumbents Matt Krause (R-Ft. Worth) and Stephanie Klick (R-Ft. Worth).

74. HD 92 contains the entire cities of Watauga, Richland Hills, Hurst, Bedford and all of North Richland Hills that would fit into the deviation.

Incumbent Jonathan Stickland (R-Bedford) resides in the district.

75. HD 98 contains the entire cities of Grapevine, Southlake, Colleyville, Keller, Westlake and a few north Fort Worth neighborhoods.

76. HD 94 contains the entire city of Euless, and a couple of Fort Worth precincts which connect it to northeast Arlington. All of east Tarrant County is seeing rapid demographic change. This compact, naturally occurring configuration is not a minority opportunity district because it has not performed for minority candidates of choice in off-Presidential years. However, by honoring traditional redistricting principles with respect to city boundaries, an opportunity district could emerge here. This is an open seat.

77. HD 96 takes in the remainder of Arlington, Pantago, Dalworthington Gardens and the portion of Mansfield which cannot be absorbed by HD 97 on the south. Incumbent Tony Tinderholt (R-Arlington) resides in the district.

79. Finally, HD 97 is based on traditional neighborhoods in southwest Fort Worth and the suburban communities of Benbrook, Crowley, Burleson, Rendon CDP, and a portion of Mansfield.

5. A “Plug-in” for the Nueces County Mix (Districts 32,34,30 and 43)

80. `Plan H 391 restores an effective Latino opportunity district to Nueces (HD 32) and maintains an effective one in HD 34 by adding Kleberg County to the

configuration and allowing significant Anglo population from Nueces to be joined with Victoria County in HD 30. Incumbent Todd Hunter (R-Corpus Christi) is paired with incumbent Geanie Morrison (R-Victoria) in that configuration.

81. HD 34 is maintained as an effective Hispanic opportunity district with 66.4% HCVAP and 59.2% SSVR. It continues to perform for the minority candidates of choice in exogenous elections. Incumbent Abel Herrero (D-Robstown) resides in the district.

82. HD 32 becomes an effective Hispanic opportunity district as well at 61.2% HCVAP and 53.3% SSVR. While slightly weaker than HD 34 electorally, it effectively performs to give Latino citizens the opportunity to elect the candidates of their choice. Incumbent J.M. Lozano (R-Kingsville) resides in the district, but would be expected to move to HD 43 in this configuration. His hometown, Premont, is in Jim Wells County as well as one of his businesses.

6. Bell Lampasas Districts 54 and 55

83. Under the Current Plan 358, Districts 54 at 167,736 is 99 persons over populated and District 55 at 162,176 is 5,461 under populated. The plan split a large portion of Killeen from District 54 and replace it with rural parts of the county. The H 391 Demonstration plan for Districts 54 and 55 equalizes the population between the 2 districts so that each is essentially the same size and both

are 1.6% underpopulated. All of Killeen is located in District 54. Since Killeen is not quite large enough to comprise a state house district a portion of adjoining Harker Heights is added following voting precinct lines. Much of the population of both cities have communities of interest relating to Fort Hood. Voting precinct lines were maintained except where necessary to maintain population standards or City lines.

84. The two districts plug into the current House plan C258 and no additional County lines are split. As the demonstration plan indicates, the most recent Citizen Voting Age Population analysis (2009-15) for District 54 shows Anglos to be 41.4% with the combined Black and Hispanic CVAP at almost 52%. Based on trend lines, I would put the Combined Black and Hispanic CVAP in excess of 55% in 2018. I have looked at the preliminary study of polarization for Bell County, which shows high levels of polarization and cohesion.

85. In summary, Plan H 391 unites the city limits of Killeen into HD 54, forming a compact coalition district. Neighborhoods from Fort Hood CDP and the City of Harker Heights are included to fill out the population of the district, necessarily splitting the city of Harker Heights. The district performs sufficiently in exogenous elections to give minority voters the opportunity to elect the candidates of their choice. Six VTDs are split to confine the district to city limits.

7. Bexar County

86. An analysis of 2014 election returns reveals that HD 117 in Plan H 358 does not perform sufficiently for Hispanic citizens to elect their candidate of choice. Given the finding of discriminatory intent with respect to HD 117, a full remediation is appropriate.

87. Plan H 391 strengthens the electoral performance of HD 117. This is accomplished by involving only two districts, HD 122 and HD118. In the South HD 118 picks up more low performing rural territory and HD 117 gains more politically potent City of San Antonio precincts. HD 118 remains an effective Latino opportunity district that will continue to perform effectively in general elections. In the North HD 122 picks up more heavily Anglo suburban voters and HD 117 gets more City of San Antonio precincts.

Congressional Plans

88. There are two plans offered which interpret the traditional redistricting concepts slightly differently.

1. C 283 is a Demonstration Plan for South Texas which has been fit into the current statewide Congressional Plan. It involves significant changes in Districts 10, 15, 16, 20, 21, 23, 25, 34 and 35. It is a “plug-in” for the Current Plan and no changes occur in Harris or the Dallas Metroplex.

2. C 285 is an alternative Demonstration Plan for the South Texas Districts and

also includes modifications of Harris and the Dallas Metroplex.

PLAN C 283

89. PLAN C 283 is a Demonstration plan designed to simplify and foreshorten districts 15 and 34.

90. It creates a new Congressional District (35) in South and East Bexar County. Congressman Smith is located in that District. It removes the District 28 (based in Laredo) from Bexar County and instead includes South Central Texas counties that had been in the Laredo Congressional District in earlier years.

91. District 23 is significantly improved by unpacking El Paso District 16 running it out to Odessa which is the closest available center of population.

92. When the 1980 Census showed that the overwhelmingly Hispanic Lower Rio Grande Valley became large enough to support a Congressional District, the Legislature created such a district by simply combining Hidalgo and Cameron Counties. The Department of Justice entered an objection to such packing:

The area of concern is the area comprising proposed districts 15 and 27. This portion of South Texas experienced substantial growth during the past decade and that 67% of the persons residing in this area are Mexican Americans. [matter omitted] We are particularly troubled by information indicating that the future population growth in this area will (a heavy majority of which likely will continue to be Mexican American)is projected primarily in Hidalgo and Cameron

Counties. Thus the inclusion of both these two counties into District 15 may exacerbate the alleged “packing” of Mexican Americans from realizing their potential voting strength in District 27.

Objection Letter William Bradford Reynolds to Texas Secretary of State Mark White Feb. 28, 1982

<https://www.justice.gov/sites/default/files/crt/legacy/2014/05/30/TX-1920.pdf>

93. Under PLAN C 235, District 16 contains a Hispanic population of 87% with a 2016 Spanish Surnamed registration of 67%.(compare Red 202 and Red 100 reports).The entire Congressional District 16 is contained in El Paso County. The balance of 102,000 persons (more than 90% Hispanic) is poured over into District 23.

94. As previously indicated, C 283 Demonstration district extends District 16 out to the nearest source of population which is Odessa, Texas. So that instead of 102,000 persons from El Paso County more than 170,000 are unpacked from District 16 and added to District 23. As a result District 16 ends up with a Hispanic population of 74% and a 2016 Spanish Surnamed registration rate of 61.2%.

95. District 21 has the residence of Congressman Hurd. The largest population source for this district is from Bexar County and it no longer has any part of Travis County.

Alternative South Texas Demonstration

96. C 285 draws the South Texas Districts without unpacking CD 16 which remains unchanged from the current plan. District 27 runs north from the Cameron County to Nueces County for the population to meet the standard. It is essentially an adjustment of plan in effect in 2010.

97. The balance of Nueces County, including the residence of the current incumbent is drawn into District 22.

98. District 15 runs from Hidalgo County to Goliad County. The current incumbent lives in this district.

99. District 28 follows the current pattern of extending from Webb County into Hidalgo County and then up to Guadalupe County. It includes approximately the same population split from Bexar County and Guadalupe Counties as found in the plan in effect in 2010. The current incumbent lives in this district.

100. District 23 has been drawn with a 2016 Spanish Surnamed registration of 57.8% up from 55.3% in the Current plan. It has a 2011-2015 Hispanic CVAP of 64.0% up from 62.1% in the current plan.

101. District 35 would be an entirely new district without an incumbent. Approximately two thirds of the population for the District would be in Bexar County with an additional 38,000 coming from Atascosa County and the balance

from an extension North along Highway 35 largely the same as that in Plan C235 or in this Courts vacated interim plan.

102. Overall, it has a 2016 Spanish Surnamed Registration District 47% and I estimate it to have a Black Registration of somewhere in the neighborhood of 15%. There is a long history of Hispanics and African Americans voting together and the election returns I have looked at shows that the choice of the minority voters is consistently successful. It has a 2011-2015 Hispanic CVAP percentage of 55.5% and 9.3% Black alone CVAP.

103. District 20 has a 2016 Spanish Surnamed registration of 49.9% and I would estimate that the African American registration is in the range of 10 to 12%. Again, the election analysis I have done indicates that the district would continue to elect the candidate of choice of the minority community. District 20 under this plan has a 2011-2015 Hispanic CVAP of 57.4%. The Hispanic CVAP is slightly reduced from than in the current plan but the analysis of election returns indicate that this would have no impact on the ability ro elect candidate of choice.

Harris county and Dallas County

104. Harris County had a 2010 population of just over 4 million and the combined population of Dallas and Tarrant Counties were just under 4 million.

The three counties contain the largest concentration of Hispanic and Black population in the state. The current geography of the districts is oddly shaped and each area is divided among 9 different Congressional districts.

105. What I did was look at the neighborhoods, the growth areas, the voting precincts the city limit lines and tried to draw districts that would be compact and still representative of the ethnic and racial compositions of the counties. This resulted in four highly compact districts in Dallas and Tarrant Counties and Five highly compact districts in Harris County. The analysis of the election returns from 2008-2016 show that each of these Districts would elect the representative of choice of minority voters.

PLAN C 285 Harris

106. The plan unpacks and simplifies the traditional African American District 18. Under C 285, District 18 is 40.2% Black Alone CVAP and 18.7% Hispanic CVAP. Under the Current plan 235, District 18 is 47% Black only CVAP and 24.4% Hispanic CVAP.

107. District 9 under C 285 is 41.4% Black only CVAP, 18.4% Hispanic and 12.2% Asian only CVAP. Under the current plan, C 235 District 9 is packed at 48.5% Black only CVAP, 22.0% Hispanic CVAP and 10.3% Asian CVAP.

108. District 29 under C 285 is 37.6% Hispanic CVAP; 16.5% Black alone and 6.7% Asian Alone. Under the current plan C-235 District 21 is packed at 61.6% Hispanic CVAP, 16.1% Black only CVAP.

109. The reorganization of Districts 9, 19, and 29 under C 285 allows for the creation of an almost square District 34 which is 28.6% Hispanic CVAP, 24.7% Black alone CVAP and 9.1% Asian CVAP. There is no similar district in the Harris County portion of C235.

110. The reorganization also allows for the creation of under C-285 of District 36 which is 50.7% Hispanic CVAP and 15.1% Black alone. There is no similar district in the Harris County portion of C235.

PLAN C 285 Dallas Metroplex

111. District 30 is the traditional Black Congressional District in Dallas County. Under C 285 District 30 is unpacked to 40.8% Black alone CVAP and 14.3% Hispanic CVAP. Under the current plan C-235 is 53.2% Black CVAP and 20.8% Hispanic CVAP.

112. District 33 under C 285 is drawn entirely in Tarrant County. It generally follows the District that was in the Court's vacated Congressional plan.

It is 30.7% Black only CVAP, 23.0% Hispanic CVAP and 4.6% Asian CVAP.

Under the current plan C 235, the District is in both Dallas and Tarrant Counties.

It is 23.7% Black only CVAP, 43.6% Hispanic CVAP.

113. As in Dallas County, the reorganization and restructuring of the existing minority Districts allows for the creation of two additional Districts in the growing Hispanic and Black portions of East and West Dallas County. District 3 in Eastern Dallas County becomes a Black and Hispanic opportunity district at 23.9% Hispanic CVAP, 27.9% Black CVAP and 3.4% Asian CVAP. The minority community outside of the areas involving Districts 6 and 30 in the current plan is split or cracked into Districts 5, 32, 24 and 33 under the current plan.

114. The reorganization also allows for the creation of District 6 in West Dallas County. It is highly compact combined Black and Hispanic opportunity district at 37.9% Hispanic CVAP, 16.5% Black CVAP and 5.5% Asian CVAP.

116. The information on residency was only recently made available. I want to check to make sure that we were able to use it in all of our Demonstration districts.

Respectfully Submitted

/s/ George Korbel

George Korbel